

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 4 has been cancelled, while claim 1 has been amended for clarity.

The Examiner has rejected claims 1 and 2-9 under 35 U.S.C. 101 in that the claimed invention is directed to non-statutory subject matter.

Claim 1 has been amended such that each of the steps therein are tied to a particular machine. In addition, due to the changes to claim 1, claim 4 has been cancelled as being redundant. Applicants therefore believe that claims 1-3 and 5-9 are now statutory.

The Examiner has rejected claims 1-15 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication no. 2005/0155056 to Knee et al. in view of U.S. Patent 7,146,627 to Ismail et al.

The Knee et al. publication discloses an interactive television program guide system for determining user values for demographic categories, in which commercials are provided to the user based on certain demographic information.

The Ismail et al. patent discloses a method and apparatus for delivery of targeted video programming in which the system determines viewer preference based on the viewer choosing each program with the highest score.

Claim 1 (and, effectively, claims 10, 12 and 14) includes the limitation "providing, for each of a plurality of commercials, respective correlation factors indicating respective degrees of effectiveness in relation to each of the plurality of programs using a commercial classifier".

The Examiner has indicated that Knee et al. discloses this limitation and has stated "Knee discloses (10020, ¶0029-10033) that the advertisement includes value for categories associated with each advertisement as represented in Fig. 2."

Applicants submit that the Examiner is mistaken. In particular, at paragraph [0020], Knee et al. discloses that the advertising information may also include "preselected values for demographic categories associated with each advertisement."

Paragraph [0029] states:

"[0029] FIG. 2 is a sample list of the demographic categories and the values of the demographic categories for the user stored in memory 64. FIG. 2 also shows the preselected values for two advertisements received by the set-top box 48. Under the demographic categories heading, there are shown ten exemplary predefined demographic categories. These categories are: (1) sports fan, (2) science fiction fan, (3) parent, (4) dog-lover, (5) cat-lover, (6) annual income over \$20,000, (7) annual income over \$30,000, (8) annual income over \$50,000, (9) female age range of 20-35, and (10) male age range of 18-40."

Applicants submit that it should be clear from the above that the demographic categories relate to the user, and as such, the preselected values of paragraph [0020] relate the advertisements to the user. However, claim 1 specifically states, "providing, for each of a plurality of commercials, respective

correlation factors indicating respective degrees of effectiveness in relation to each of the plurality of programs using a commercial classifier".

Applicants stress that Knee et al. neither discloses nor suggests "providing, for each of a plurality of commercials, respective correlation factors indicating respective degrees of effectiveness in relation to each of the plurality of programs using a commercial classifier".

Applicants further submit that Ismail et al. does not supply that which is missing from Knee et al.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-3 and 5-15, is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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